

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
EL DORADO DIVISION

UNITED STATES OF AMERICA

RESPONDENT

VS.

Case No. 1:86-cr-10004
1:97-cr-10005
1:97-cr-10006

LESLIE ISBEN ROGGE

MOVANT

JUDGMENT

Before the Court is the Report and Recommendation filed November 6, 2012, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 77).¹ Judge Bryant recommends that Rogge's motion for relief under 28 U.S.C. § 2255 (ECF Nos. 74 & 77) be denied and the case dismissed with prejudice, as time-barred, successive, and as an abuse of writ. Judge Bryant further recommends that the Clerk of this Court be directed not to accept any future pleading for filing unless Rogge first obtains authorization for such filing from the United States Court of Appeals for the Eighth Circuit or alleges an immediate threat of harm to himself. Finally, pursuant to 28 U.S.C. §1915(a), Judge Bryant recommends that the Court find that an appeal from this dismissal would not be taken in good faith.

The parties have not filed objections to the Report and Recommendation, and the time to object has passed. *See* 28 U.S.C. § 636(b)(1). Therefore, the Court adopts the Report and Recommendation *in toto*. Rogge's Motion (ECF No. 74 & 77) should be and hereby is **DENIED**, and this case is **DISMISSED WITH PREJUDICE**. The Clerk is directed not to accept any future

¹ All of the docket numbers in this Judgment will refer to the docket in cause no. 1:86-cr-10004.

pleading for filing unless Rogge first obtains authorization for such filing from the United States Court of Appeals for the Eighth Circuit or alleges an immediate threat of harm to himself. Finally, the Court finds that, pursuant to 28 U.S.C. §1915(a), any appeal from this dismissal would not be taken in good faith.

IT IS SO ORDERED, this 27th day of November, 2012.

/s/ Harry F. Barnes
Hon. Harry F. Barnes
United States District Judge